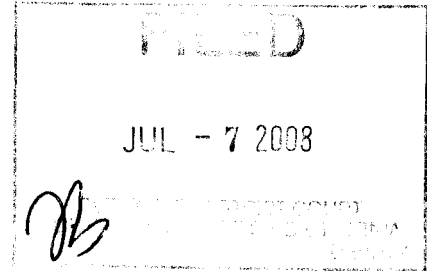


ORIGINAL



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

9	UNITED STATES OF AMERICA,	)	Criminal Case No. <u>07CR2882-BEN</u>
)	
10	Plaintiff,	)	<u>I N F O R M A T I O N</u>
		)	(Superseding)
11	v.)	
		)	Title 21, U.S.C., Secs. 841(a)(1)
12	GUILLERMO BARRETO-ORTIZ (1),	)	and 846 - Conspiracy to
	MAGDALENA MAULEON (2),	)	Manufacture Marijuana Plants;
13		)	Title 18, U.S.C., Sec. 924(c)(1)
		)	(A)(i) and (C)(i) - Possession of
14	Defendants.	)	Firearm in Furtherance of a Drug
		)	Trafficking Offense; Title 18,
15		)	U.S.C., Sec. 2-Aiding and Abetting
		)	Title 21, U.S.C., Sec. 853 (a)(2),
16		)	Title 18, U.S.C., Sec. 924(d) and
		)	Title 28, U.S.C., Sec. 2461(c) -
17		)	Criminal Forfeiture
18)	

The United States Attorney charges:

Count 1

Beginning at a date unknown and continuing up to and including July 17, 2007, within the Southern District of California, defendant GUILLERMO BARRETO-ORTIZ did knowingly and intentionally conspire with Magdalena Mauleon, Consuelo Mauleon, charged elsewhere, and with other persons known and unknown, to manufacture 1,000 and more marijuana plants, a Schedule I Controlled Substances; in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

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JJO:San Diego
7/3/08

Count 2

On or about July 17, 2007, within the Southern District of California, defendant GUILLERMO BARRETO-ORTIZ, during and in relation to a drug trafficking crime for which each defendant may be prosecuted in a court of the United States, namely, conspiracy to manufacture marijuana plants, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, the crimes charged in Count 1 of this Indictment, did knowingly and intentionally possess in furtherance of such crimes, a firearms, to wit, a Universal Arms, M-1 30-Caliber Rifle, Serial Number 164804; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i) and (C)(i), and Title 18, United States Code, Section 2.

Count 3

On or about July 17, 2007, within the Southern District of California, defendant MAGDALENA MAULEON, during and in relation to a drug trafficking crime for which each defendant may be prosecuted in a court of the United States, namely, conspiracy to manufacture marijuana plants, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, the crimes charged in Count 1 of this Indictment, did knowingly and intentionally possess in furtherance of such crimes, a firearm, to wit, an Ithaca, M-49 22-Caliber Lever-Action Rifle, Serial Number 164804]; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i) and (C)(i), and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in Counts 1, 2, and 3 are realleged and by reference are fully incorporated herein to allege forfeiture to the United States of America pursuant to the provisions

1 of Title 21, United States Code, Section 853, Title 18, United States
2 Code, Section 924(d), and Title 28, United States Code,
3 Section 2461(c).

4 2. As a result of the commission of the felony offense alleged
5 in Count 1, a violation punishable by imprisonment for more than one
6 year, and pursuant to Title 21, United States Code, Section 853(a)(1)
7 and (2), defendants GUILLERMO BARRETO-ORTIZ and MAGDALENA MAULEON
8 shall, upon conviction, forfeit to the United States all property
9 constituting, or derived from, any proceeds the defendants obtained,
10 directly or indirectly, as the result of the commission of the
11 violations alleged in Count 1 of this indictment and all property used
12 and intended to be used in any manner or part to commit or to
13 facilitate the commission of the violation alleged in Count 1 of this
14 indictment, including, but not limited to, the following:

- 15 a. Winchester, Model 1300 12-Gauge Shotgun, Serial
16 Number L2234113;
- 17 b. U.S. Carbine, M-1 30-Caliber Rifle, Serial Number 5627433;
- 18 c. Universal Arms, M-1 30-Caliber Rifle, Serial Number 181079;
- 19 d. Smith & Wesson 9mm Pistol Model #59, Serial Number A602533;
- 20 e. Ithaca, M-49 22-Caliber Lever-Action Rifle, Serial
21 Number 164804; and
- 22 f. all firearm ammunition seized on or about July 17, 2007.

23 All in violation of Title 21, United States Code, Sections 841(a)(1),
24 846 and 853.

25 3. Upon conviction of one or more of the offenses alleged in
26 Counts 2 and 3, defendants GUILLERMO BARRETO-ORTIZ and MAGDALENA
27 MAULEON shall, upon conviction, forfeit to the United States all
28 firearms and ammunition involved or used in the offenses, including,

1 but not limited to, the following:

- 2 a. Winchester, Model 1300 12-Gauge Shotgun, Serial
- 3 Number L2234113;
- 4 b. U.S. Carbine, M-1 30-Caliber Rifle, Serial Number 5627433;
- 5 c. Universal Arms, M-1 30-Caliber Rifle, Serial Number 181079;
- 6 d. Smith & Wesson 9mm Pistol Model #59, Serial Number A602533;
- 7 e. Ithaca, M-49 22-Caliber Lever-Action Rifle, Serial
- 8 Number 164804; and
- 9 f. all firearm ammunition seized on or about July 17, 2007.

10 All pursuant to Title 18, United States Code, Section 924(d), and
11 Title 28, United States Code, Section 2461(c).

12 4. If any of the forfeitable property referred to above, as a
13 result of any act or omission of the defendants,

- 14 a. cannot be located upon the existence of due diligence;
- 15 b. has been transferred or sold to or deposited with a third
- 16 person;
- 17 c. has been placed beyond the jurisdiction of the Court;
- 18 d. has been substantially diminished in value; or

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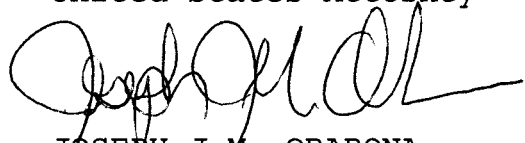
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1 e. has been commingled with other property which cannot be
2 subdivided without difficulty, it is the intent of the
3 United States, pursuant to Title 21, United States Code,
4 Section 853(p), to seek forfeiture of any other property of
5 the defendants up to the value of the above forfeited
6 property.

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8 DATED: July 7, 2008.

9 KAREN P. HEWITT
10 United States Attorney

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12 JOSEPH J. M. ORABONA
13 Assistant U.S. Attorney
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